



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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December 17, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

44 December 17, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

AUTHORIZE EXTENSION OF BUDGET AUTHORITY FOR VARIOUS FEDERAL- AND STATE-FUNDED PROJECTS (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

This action is to authorize the Director of Public Works or her designee to request the California Department of Transportation and the California Department of Finance to extend budget authority for seven Federal-funded and three State-funded projects and to enter into the necessary cooperative agreements with these State departments for a 2-year extension of budget authority.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of Public Works or her designee to request the California Department of Transportation and the California Department of Finance to extend budget authority for seven Federal-funded and three State-funded projects that will not be completed by December 31, 2013, and to enter into the necessary cooperative agreements with these State departments for a 2-year extension of budget authority.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to authorize the Director of Public Works or her designee to request Caltrans and the California Department of Finance to extend budget authority for these Federal- and State-funded projects. The projects and explanations for the delays are provided in the enclosure.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The requested extension of budget authority will allow the County to maximize Federal and State reimbursement for these important transportation projects.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

Funding for all the projects is included in the Fiscal Year 2013–14 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Government Code Section 16304.3, project sponsors/local agencies are required by the State to request extension of budget authority for Federal- and State-funded transportation projects that will extend beyond the original appropriation of project funding.

As part of the County's ongoing road construction program, the Department of Public Works actively seeks Federal and State grants to supplement County road funds in order to deliver important transportation improvement projects located primarily in the unincorporated County areas. These Federal and State funds are available through a variety of programs administrated by Caltrans. Due to the State's desire to improve the management of funds, the California Department of Finance requires project sponsors to request extensions for those projects that were previously funded but will not be liquidated within 7 years from the start of the fiscal year that the Federal funds were appropriated and 5 years from the start of the fiscal year that the State funds were appropriated within the California Budget Act. As part of the request, the State requires the Board's approval indicating concurrence with the request. Following the Board's approval, the necessary extensions will be processed through cooperative agreements with Caltrans and the California Department of Finance.

The projects in the enclosure will not be completed by the December 31, 2013, deadline.

ENVIRONMENTAL DOCUMENTATION

The proposed activity is not a project pursuant to the California Environmental Quality Act because it is an activity that is excluded from the definition of a project by Section 15378(b)(5) of the California Environmental Quality Act Guidelines. This proposed action provides for administrative activities of governments that will not result in direct or indirect physical changes in the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The extension of the budget authority will allow Public Works to continue to receive Federal funds and State funds for these projects.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Programs Development Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

YB:JTW:pr

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

Enclosure to Extension of Budget Authority Board Letter

Fund Type	Work Performed / Location	Federal Project No	County ID	Supervisonal District	Explanation
2007-08 Federal Funds Lapsing on June 30, 2014	Integration and Deployment various locations	HP21L-5953(680)	RDC0014880	2	The goals of the El Segundo Area Intelligent Transportation System Projects are to provide traveler information to the residents of the County and to develop sufficient market interest in personalized, subscription-based services to fully offset the County's ongoing operations and maintenance cost of the basic traveler information services. A key element of the project scope of work was the addition of arterial traveler information to the existing traveler information system. The scope proposed to use the County's Information Exchange Network, and the Los Angeles County Metropolitan Transportation Authority's Regional Integration of Intelligent Transportation System to provide this arterial congestion information. However, upon more detailed investigation, it was determined these sources were not viable, and new sources of information were required. This created delays with the project, as a new approach was needed. The new approach involves using a third-party information service provider for the information. The anticipated completion date is June 2015.
	Streetscape of stamped concrete crosswalks, landscaping, pedestrian-oriented lighting, trees, on Florence Ave from the Metro Blue Line station at Graham Ave to Mountain Ave	RPS1PLE-5953(630)	RDC0015121	1	We received E-76 on 9/14/10 and Construction was board accepted on 03/06/2013. When ICRP for 2012-13 was approved by Caltrans in September 2013 we reviewed the final expenditures. We will request Caltrans to transfer cost savings from Construction Contract and Force account to Construction Engineering. The anticipated completion date is April 2014.
	Streetscape of stamped concrete crosswalks, landscaping, pedestrian-oriented lighting, trees on Whittier Blvd from I-710 to Atlantic Blvd	RPS1PLE 5953(480)	RDC0015166	1	We received E-76 on 9/14/10 and the Construction board accepted on 02/19/2013. When ICRP for 2012-13 was approved on September 4, 2013 we reviewed the final expenditures. We will request Caltrans to transfer cost savings from Force account to Construction Engineering and Construction Contract. We expect to submit the final invoice by March 2014. The anticipated completion date is April 2014.
	Seismic Retrofit on Queensway SB (Ramp J & K) over Harbor Scenic Dr. Br. No. 53C0890	BRLSZD-5953(544)	RDC0012103	5	The project was advertised for construction bids in December 2008. There was delay in award because the lowest bidder requested to be relieved due to clerical error. The contract was awarded to A M Classic Construction on 3/17/09. On November 19, 2010, the contractor stopped work after completing 35 percent of the work, which consisted of installing piles on three of the seven piers. On December 7, 2010, Public Works sent the Contractor a notice to cure its two week-long failure to work on the project within 10 days or be found in default of the contract. It was only after a lengthy negotiation process that the County and the Contractor agreed on a settlement amount to resolve all claims in order for the Contractor to continue work. The settlement cost associated change order (C.O. #5) was approved by the Board on July 5, 2011, and the Contractor restarted work on August 8, 2011. The work progressed on the construction of structural concrete on the abutments and pile driving. However, the contractor subsequently submitted delay and other claims which culminated with his December 1, 2011, letter that requests a termination of the contract. County obtained approval from the Board to terminate the contract, worked with the Surety to solicit a replacement contractor, and negotiated and executed a Takeover Agreement. Construction has been completed but not been accepted yet. The anticipated completion date is July 2014.
2008-09 Federal Funds Lapsing on June 30, 2014	Seismic Retrofit, 9th St On-Ramp over Harbor Seismic Dr. & Pico Ave, Bnd # 53C0930	BRLSZD-5953(653)	RDC0011166	4	The project was advertised for construction bids in July 2008. The amount of the lowest bid resulted in a total construction cost that was significantly higher than the approved E-76 amount. A request for the obligation of additional funds was approved and an amended E-76 was issued in October 2008 that allowed the County to proceed with awarding the contract to the apparent low bidder. The project was awarded to Dajal International Corporation (contractor) on November 12, 2008. Construction began in March 2009 but the contractor stopped performing work in January 2011. In June 2011, the contractor's Surety revoked the bond and informed the County that the Surety would be taking over the contract. The County notified the contractor that a recommendation to terminate the contractor's right to perform work on this project would be presented to the Board of Supervisors for approval. The contractor objected to the termination and requested a hearing. A hearing was held in August 2011. On 11/12/2011 the hearing officer obtained approval from the Board to terminate the contract, work with the Surety to solicit a replacement contractor, and negotiate and execute a Takeover Agreement. Construction has been completed but not been accepted yet. The anticipated completion date is June 2014.
	Seismic retrofit on East Fork Rd over the north fork of the San Gabriel River. Br. No. 53C-0070	STPLZ-5953(664)	RDC0011554	5	The E-76 for this project was approved in September 2009. The contract was awarded to KLM Construction, Inc. on January 7, 2010. However, the contractor was unable to perform the work and voluntarily defaulted before any construction work began. The Board of Supervisors approved the contractor termination on 2/8/11. A revised Preliminary Environmental Study (PES) was submitted to Caltrans for revalidation of the environmental document in March 2011 and the CE was revalidated on 7/16/12 after significant delays in receiving clearance from USFWS and USFS. The R/W was recertified on 12/11/12. The amended E-76 for re-advertising the project was approved on May 6, 2013. The project was re-advertised on July 16, 2013, and the bid opening occurred on August 27, 2013. The apparent low bidder, Minco Construction, was unable to meet the Disadvantaged Business Enterprise (DBE) goal and submitted Good Faith Effort (GFE) documentation as part of their bid. However, the GFE was determined to be inadequate and the contract will be awarded to the next low bidder in November 2013. The anticipated completion date is September 2015.
	Bike Trail on Emerald Lake bicycle trail from Duarte Rd to the San Gabriel River bicycle trail	CML-5953(622)	RDC0015298	1	We submitted PES to Caltrans on 10/10/11 Caltrans Environmental requested County to conduct the Natural Environmental study (NES) prior to Biological review. County hired Biologist (consultant) to conduct the survey. On 3/22/12, the reconnaissance survey was conducted by the Biologist and submitted the findings to Caltrans on 4/2/12. Also, the project is located on the federal land (Army Corps of Engineers (ACOE) jurisdiction) and required coordination with ACOE. We submitted revised PES on 1/14/13 and submitted NES on 9/18/13. The NES is under review by Caltrans. We expect award the project in May 2015. The anticipated completion date for Preliminary Engineering Phase is June 2015.
	Seismic Retrofit East Fork Rd over the north fork of the San Gabriel River. Br. No. 53C-0070	STPLZ-5953(664)	RDC0011554	5	The E-76 for this project was approved in September 2009. The contract was awarded to KLM Construction, Inc. on January 7, 2010. However, the contractor was unable to perform the work and voluntarily defaulted before any construction work began. The Board of Supervisors approved the contractor termination on 2/8/11. A revised Preliminary Environmental Study (PES) was submitted to Caltrans for revalidation of the environmental document in March 2011 and the CE was revalidated on 7/16/12 after significant delays in receiving clearance from USFWS and USFS. The R/W was recertified on 12/11/12. The amended E-76 for re-advertising the project was approved on May 6, 2013. The project was re-advertised on July 16, 2013, and the bid opening occurred on August 27, 2013. The apparent low bidder, Minco Construction, was unable to meet the Disadvantaged Business Enterprise (DBE) goal and submitted Good Faith Effort (GFE) documentation as part of their bid. However, the GFE was determined to be inadequate and the contract will be awarded to the next low bidder in November 2013. The anticipated completion date is September 2015.
2008-09 Proposition 1B Funds Lapsing on June 30, 2014	Sidewalk, curb ramps, signage, and pavement markings in various locations west of Acusa and in South San Jose Hills near La Puente	SF2SL-5953(647)	RDC0015346	1, 5	We received Allocation Letter for PE phase on 2/10/10. There were numerous delays during design phase as extensive surveys were required for numerous trees on the site which had to be removed or replaced. More than 12-14 months was spent doing public outreach, preparing and scheduling community meetings, negotiating with property owners, right of way acquisition, etc. As a result there were total of six community meetings during PE phase which is atypical of a standard project. Final design plans were completed in August 2012 and the project was awarded on 10/8/13. The anticipated completion date is May 2015.
2008-09 State Funds Lapsing on June 30, 2014	Bridge Inventory Permits / Truck Routing System in various locations.	BRN-NBIS-5953(659)		1, 2, 3, 4 & 5	Due to a slow economy, the state elected to postpone the sale of bond proceeds in 2009, and the California Transportation Commission allocated \$24.3 million of State Highway Account (fund 0042) funding in appropriation year 2008-09 to cover the shortfall for the Proposition 1B LBSRA program. This project received an encumbrance from appropriation year 2008-09 on September 14, 2012 for the State match. We cannot complete project since funding was only available for 21 months. This is a pilot project to create software that is intended to be expanded Statewide. The anticipated completion date is December 2015.